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OFFICE OF PETITIONS

In re Patent No. 7,083,123
Issue Date: August 1, 2006
Application No. 10/735,684
Filed: December 15, 2003
Patentee(s): Jean-Claude Molla

DECISION ON PETITION

This is a decision on the petitioner under 37 CFR 1.183 filed on October 16, 2006, which is being treated as a request under 37 CFR 3.81(b)¹ to correct the assignee data on the front page of the above patent by way of a certificate of correction.

The petition is **dismissed**.

37 CFR 3.81(b) permits the patent to issue in the name of an assignee if the assignment was submitted after payment of the issue fee, but *prior to issuance of a patent*.

Petitioner requests issuance of a Certificate of Correction to correct the address of the assignee from "Saint-Dennis La Plaine Cedex, France" to "Paris, France." However, USPTO assignment records fail to show that an assignment listing the assignee's address as "Paris, France" was recorded prior to issuance of the patent. Therefore, a Certificate of Correction would not be in order. *See MPEP Section 306.*

In view of the above, the \$100 Certificate of Correction fee submitted on October 16, 2006 will be refunded to petitioner. Also, a petition under 37 CFR 3.81 requires a processing fee of \$130. Accordingly, the overpayment of \$270 submitted with the petition plus the \$100 Certificate of Correction fee will be refunded to petitioner by Treasury Check, in due course.

This application file is being referred to Files Repository.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.


Andrea Smith

Petitions Examiner
Office of Petitions

¹ See Official Gazette of June 22, 2004